



19801 SW 72nd Ave., Ste. 100 Tualatin, OR 97062 USA  
T. +1 503.885.9699 F. +1 503.885.9880 www.digimarc.com

## FACSIMILE TRANSMITTAL

DATE:	September 5, 2003	RE:	09/342,971
TO:	EX'R D. LAstra	FROM:	Bill Conwell
FAX NUMBER:	703-746-5541	PAGES:	7
TEL NUMBER:	703-306-5933	CC:	

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Dear Examiner Lastra,

Attached is a draft Amendment After Final that I would like to review with you by telephone next week.

Kindly call me on Monday (503-495-4619) to suggest a suitable time. Since I am on the west coast, a time in the afternoon for you would be best for me.

(Alternatively, after reviewing the attached document, you may decide that the issue is sufficiently clear that no further discussion is required, and that if I submit the Amendment for formal entry, the questioned rejection will be withdrawn. In that case, a voice mail to that effect would be welcomed.)

Thanks,

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Art Unit 3622

Rodriguez et al.

Confirmation No. 7370

Application No.: 09/342,971

Filed: June 29, 1999

For: ADVERTISING EMPLOYING  
WATERMARKING

Examiner: D. Lastra

Date: September 5, 2003

due 9/15/03

DRAFT AMENDMENT AFTER FINAL

Sir,

Responsive to the Final Action mailed June 13, 2003, applicants respond as follows:

REMARKS

Reconsideration is requested of the Examiner's finding that priority application 60/082,228 does not support claims 1 and 6. In particular, the Action states that application 60/082,228 does not teach:

- The encoding substantially spanning the article rather than being localized; and
- Steganographically encoding an article of printed promotional material to hide plural-bit data therein, the steganographic encoding having a strength that varies across the article in accordance with local characteristics thereof

Provisional application 60/082,228 focused on *new* work by its inventor Rhoads. The '228 application relied on - and incorporated by reference - *earlier* work by inventor Rhoads in the form of several patents and patent applications. (Relevant work by third parties was also incorporated by reference.) The cited elements of claims 1 and 6 were